

JS-6

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NEUROPTICS, INC., a California corporation,

Plaintiff,

v.

NEUROPTIX CORPORATION, a Delaware corporation,

Defendant.

Case No. SACV12-1253 AG (MLGx)

**ORDER FOR PERMANENT
INJUNCTION**

This matter comes before the Court on a stipulation of Plaintiff NEUROPTICS, INC. (“Plaintiff”) and Defendant NEUROPTIX CORPORATION (“Defendant”).

The parties hereby stipulated to the entry of, and request the Court to enter, this Stipulated Judgment and Order for Permanent Injunction (“Final Order”) to resolve all matters of dispute in this action.

IT IS THEREFORE STIPULATED, AND AGREED, AND ORDERED as follows:

1. This Court has jurisdiction of the subject matter of this case and jurisdiction over the Defendant.
2. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(b).
3. The Complaint states a claim upon which relief may be granted against Defendant pursuant to §§ 32, 43(a) and 43(c) of the Lanham Act, 15 U.S.C. §§ 1114(1), 1125(a), and 1125(c).

1 4. Defendant has entered into this Final Order freely and without coercion. Defendant
2 further acknowledges that it has read the provisions of this Final Order and is prepared to abide by
3 them.

4 5. Plaintiff and Defendant have agreed that the entry of this Final Order resolves all
5 matters of dispute between them arising from the Complaint in this action, up to the date of entry
6 of this Final Order.

7 6. Defendant waives all rights to seek appellate review or otherwise challenge or
8 contest the validity of this Final Order.

9 7. The Final Order is for settlement purposes only, and does not constitute an
10 admission by Defendant that the facts alleged in the Complaint, other than jurisdictional facts, are
11 true.

12 **ORDER**

13 **IT IS THEREFORE ORDERED** that Defendant is hereby permanently restrained and
14 enjoined from: advertising, marketing, promoting, offering for sale, or selling any service or good
15 using the trademark “NEUROPTICS,” or any confusingly similar mark, including but not limited
16 to use of the mark “NEUROPTIX.”

17 Any necessary changes to Defendant’s public use of the mark “NEUROPTIX” must be
18 completed within one-hundred and twenty (120) days of the execution of this order.

19 SO ORDERED, this 28th day of September

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22 HON. ANDREW GUILFORD
23 United States District Judge
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